



AGENDA: November 27, 2007

4.1

CATEGORY: Consent

DEPT.: Community Development

TITLE: Amendments to Chapter 8 of the City Code and Adopting the 2007 California Building Code and Other Uniform Codes (Second Reading)

RECOMMENDATION

Adopt AN ORDINANCE AMENDING CHAPTER 8, ARTICLES I, II, III AND IV OF THE MOUNTAIN VIEW CITY CODE, RELATING TO THE ADOPTION OF THE 2007 CALIFORNIA BUILDING CODE AND OTHER UNIFORM CODES. (First reading: 7-0)

FISCAL IMPACT

The adoption of the 2006 Uniform Model Codes will not impact current building permit fees.

BACKGROUND AND ANALYSIS

On November 6, 2007, the City Council held the first reading of the revisions to the City Code, Chapter 8, Articles I, II, III and IV. These revisions reflect the 2006 Triennial Model Code adoption cycle and amendments tailored for local conditions. The second reading and adoption of the ordinance revision is recommended herein. Attached is the report from the City Council meeting of November 6, 2007 (Attachment 1) which provides additional background regarding the proposed ordinance revisions.

ALTERNATIVE

Not adopt the ordinance and allow the City to be preempted by State law. This would prevent the City from making local changes and modifications to the International Building Code and other uniform codes.

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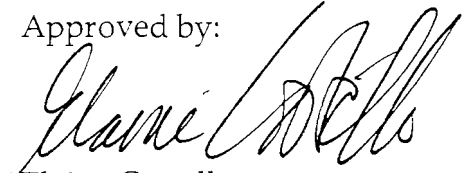
PUBLIC NOTICING—Agenda posting.

Prepared by:



Ron Geary
Consultant

Approved by:



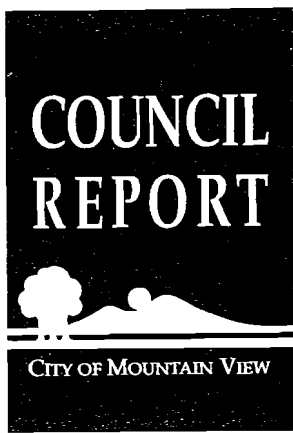
Elaine Costello
Community Development Director



Kevin C. Duggan
City Manager

RG/2/CAM
884-11-27-07M-E^

- Attachments: 1. November 6, 2007 City Council Meeting Report
2. Ordinance



AGENDA: November 6, 2007

CATEGORY: Public Hearing

DEPT.: Community Development

TITLE: Amendments to Chapter 8 of the City Code and Adopting the 2006 Uniform Codes (First Reading)

RECOMMENDATION

Introduce AN ORDINANCE AMENDING CHAPTER 8, ARTICLES I, II, III AND IV OF THE MOUNTAIN VIEW CITY CODE RELATING TO THE ADOPTION OF THE 2007 CALIFORNIA BUILDING CODE AND OTHER UNIFORM CODES, to be read in title only, further reading waived, and set second reading for November 27, 2007.

FISCAL IMPACT

No fiscal impact. The adoption of the 2007 California codes will not impact current building permit fees.

BACKGROUND AND ANALYSIS

On September 10, 2002, by Ordinance 14.02, the City Council adopted the 1997 Uniform Building, Mechanical and Plumbing Codes as published triennially by the International Conference of Building Officials and adopted by the State through the California Building Standards Commission. The proposed ordinance will amend the City Code, Chapter 8, Articles I, II, III and IV to reflect the 2006 triennial model code change cycle, including State amendments.

State law requires that the building standards contained in the 2006 International Building Code, 2006 Mechanical and Plumbing Codes, as referenced in Parts 2, 3, and 4 of the California Building Standards Code, Title 24, apply to all occupancies throughout the State and would become effective 180 days after publication by the California Building Standards Commission. The Building Standards Commission published the 2006 editions of the International Building Code, Uniform Plumbing Code and Uniform Mechanical Code on July 1, 2007 and established January 1, 2008 as the effective date of adoption. The California Building Standards Code provides that a city or county may amend or modify the regulations set forth in Title 24 to reflect local conditions. The local amendments and/or modifications to the State-adopted codes must be made during the 180-day review period. In order to comply with State statutory requirements, the 2006 International Building Code, 2006 Uniform Plumbing Code and 2006 Uniform Mechanical Code are being amended, as set forth in the attached ordinance, to reflect the City of Mountain View's conditions. The deadline for adoption of these local amendments in order to comply with State law is January 1, 2008. If adopted, the amendments to Chapter 8 of the City Code and the 2007 California codes, as set

forth in this ordinance, would become effective and enforced by the Building Inspection Division on December 27, 2007.

The determination by the Building Standards Commission in July 2006 to adopt the International Code Council's building code brought California in alignment with the rest of the United States. In order to comply with State law, the City's Building Inspection Division has reviewed the adopted codes and is proposing to amend six code sections and clean up inconsistent and outdated section reference language. The amendments being proposed with the adoption of the 2007 California Building Code (CBC) are required because the International Building Code's regulatory and construction requirements are a significant departure from the current Uniform Building Code (UBC). A primary element in the 2007 California Building Code is the use of fire sprinklers to: (1) reduce the passive requirements to the buildings construction systems for fire-life safety; (2) allow the area and heights of buildings to be increased to a much greater degree than the current Building Code; (3) allow reductions to the requirements for the exit system's fire ratings to reduce the one-hour-rated construction to nonrated; and (4) allow the combination of these types of life-safety elements to be reduced while the size of the building is being increased. While the technical issues involved in enforcing the new building code will be challenging to learn and implement, it is the underlying new code's life-safety philosophy and how it is implemented that will have a very significant impact on the current City development review process.

The new building code is more performance-based which will require a greater degree of information regarding a project's design and construction to be provided earlier in the development review process and it will take more complex and time-consuming analysis by Building and Fire staff to determine a project's consistency with the code requirements. The burden of providing the required information will require developers, architects and contractors to do more preliminary and detailed work on their projects prior to and during the Planning review process. This will add time and cost to all projects. The implementation impacts will be more strongly felt in the first year or two after the new codes, building and fire, are adopted due to the steep learning curve and integration issues that staff and the development, business and residential communities will experience.

While the adoption of the new International Building Code will present challenges, the primary mission of the Community Development Department and Building Inspection Division will continue to be maintaining our streamlined results-oriented approach to the City's development review process. To meet that goal, the Community Development Department, specifically the Building Inspection Division, will be working to mitigate the impacts to our development review, plan checking and permitting processes. These efforts will include handouts and information on the Building Inspection web site.

Building Inspection's primary goal in adopting the new California codes was to remain consistent with the State and the region's building officials who are committed to keeping amendments to the 2007 California Building Code to a minimum. The proposed City

amendments are consistent with those being proposed for enforcement in jurisdictions both regionally and throughout the State. There are no substantive amendments to any of the other State codes enforced under Chapter 8 of the City Code by Building Inspection, Code Enforcement or the Fire Department. The following summarizes the proposed code amendments to the City Code as a result of the 2006 California Building Code adoption:

1. Deleting Chapter 1, General Code Provisions, and replacing it with Appendix Chapter 1. This amendment is required to provide the administrative bases for managing the building inspection operational functions that would be consistent with Chapter 8 of the City Code.
2. Adopting three amendments to ASCE 7 which provides steel construction design criteria that address the seismic conditions in California that were considered inadequate by the State's structural engineering organizations. In order to maintain structural design consistency with the IBC, a number of outdated structural amendments were deleted.
3. Updating the Fire Code and listing agency standards that reference various fire suppression systems and equipment specified in Chapter 9 of the IBC.
4. Adding the requirement found in the 1997 UBC and removed in the 2006 IBC requiring the installation of smoke detectors when the building permit valuation exceeds \$1,000.
5. Deleting three code sections regulating fire-resistive construction requirements related to openings on property lines and party walls between attached single-family residences. These amendments are consistent with the requirements historically enforced under the UBC and will provide a consistent high level of life-fire safety for structures and occupants as the community transitions to the IBC. The party wall amendment provides consistency with our subdivision and development processes related to condominiums, townhouses and detached single-family units.
6. The remaining changes in Chapter 8, resulting from the 2007 California codes adoption, are editorial changes to: (1) clean-up language content and poorly written inconsistent sections; and (2) unify the amendment language that affects different codes and/or code sections affecting both the State and City codes.

ALTERNATIVE

Do not modify Chapter 8 of the City Code or amend the 2007 California Building, Mechanical and Plumbing Codes and be preempted by the State's January 1, 2008 adoption. Preemption by the State would eliminate the City's ability to enforce the proposed amendments affecting the ASCE 7 seismic design standards; \$1,000 valuation smoke detector installation requirement; adoption of Appendix Chapter 1 regulating building inspection operational functions;

and the modifications to the fire-resistive standards at property lines and between single-family residential structures.

CONCLUSION

To comply with the California Building Standards Code and the Government Code, the City must amend the 2006 International Building Code, 2006 Uniform Mechanical Code, 2006 Uniform Plumbing Code and other Model Codes as published by the State on July 1, 2007 within 180 days of the publication date. This ordinance provides for the modifications and amendments to the 2007 California Building, Mechanical and Plumbing Codes that reflect structural upgrades, transition issues, simplification and code section language cleanup prior to the January 1, 2008 State-adoption deadline.

PUBLIC NOTICING

Agenda posting and direct mail to selected businesses, architects, contractors and developers.

Prepared by:

A handwritten signature in black ink, appearing to read 'Ron Geary', with a horizontal line extending to the right.

Ron Geary
Consultant

Approved by:

A handwritten signature in black ink, appearing to read 'Elaine Costello', with a horizontal line extending to the right.

Elaine Costello
Community Development Director

A handwritten signature in black ink, appearing to read 'Kevin C. Duggan', with a horizontal line extending to the right.

Kevin C. Duggan
City Manager

RG/9/CAM
884-11-06-07M-E^

Attachment: 1. Draft Ordinance

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 8, ARTICLES I, II, III AND IV OF THE
MOUNTAIN VIEW CITY CODE, RELATING TO THE ADOPTION OF THE
2007 CALIFORNIA BUILDING CODE AND OTHER UNIFORM CODES

WHEREAS, a local entity such as the City of Mountain View must adopt the Uniform Codes prior to January 1, 2008 if the local agency desires to maintain local control and allow for amendments to the California Building Code or other uniform codes in order to accommodate local requirements for local conditions; and

WHEREAS, the City of Mountain View has local conditions which require amendments to the California Building Code and other uniform codes;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Section 8.1 of Article I of Chapter 8 of the Mountain View City Code is hereby deleted in its entirety and a new Section 8.1 added, to read as follows:

"SEC. 8.1. Uniform Building Code adopted—Short title.

The California Building Code, 2007 edition, incorporates, by adoption, the 2006 edition of the International Building Code of the International Code Council with California amendments. The 2006 International Building Code, second printing, promulgated by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, D.C., which regulates the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of buildings and other structures is adopted, including the following appendices: Appendix Chapter 1 and Appendix I and by this reference is made a part of this city code with the same force and effect as though set out herein in full. One (1) copy of the California Building Code is on file and open to public inspection in the building inspection office."

Section 2. Section 8.2 of Article I of Chapter 8 of the Mountain View City Code is hereby deleted in its entirety and a new Section 8.2 added, to read as follows:

"SEC. 8.2. (CALIFORNIA) Chapter 1, GENERAL CODE PROVISIONS.

California Building Code, Chapter 1, GENERAL CODE PROVISIONS, is deleted and Appendix Chapter 1, ADMINISTRATION, is adopted with amendments as follows:

Section 101.4.5—Property maintenance, is amended to read as follows:

Section 101.4.5. Property maintenance.

The provisions of the California Building Code, California Mechanical Code, California Electrical Code, California Plumbing Code, California Fire Code, 1997 Uniform Housing Code and International Code for Property Maintenance shall apply to existing structures and premises; equipment and facilities; light, ventilation, space heating, sanitation, life and fire safety hazards; responsibilities of owners, operators and occupants and occupancy of existing premises and structures.

Section 105.1.1—Annual permit, is deleted.

Section 105.1.2—Annual permit records, is deleted.

Section 105.3.2—Time limitation of application, is deleted.

Section 108.5—Related fees, is amended to read as follows:

Section 108.5. Related fees.

The payment of the fee for the construction, alteration, removal of demolition for work done in connection to or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law and the City of Mountain View.

Section 110.2—Certificate issued, is amended to read as follows:

Section 110.2. Certificate issued.

After the building official inspects the building or structure and finds no violations of the provisions of this code, City of Mountain View conditions and ordinances, or other laws that are enforced by the building inspection division, the building official shall issue a certificate of occupancy."

Section 3. Section 8.3 of Article I of Chapter 8 of the Mountain View City Code is hereby deleted in its entirety and a new Section 8.3 is added, to read as follows:

"SEC. 8.3. Section 103 amended—Division of building inspection established.

Section 103 of the California Building Code is amended to read:

"Section 103. Division of building inspection established.

There is hereby established in the City of Mountain View a division of building inspection which shall be under the supervision of the building official who shall be accountable to the community development director of the city."

Finding: Section 103 is modified to conform with the status of the division of building inspection with the city's administrative organization."

Section 4. Section 8.3.1 of Article I of Chapter 8 of the Mountain View City Code is hereby deleted in its entirety and a new Section 8.3.1 is added, to read as follows:

"SEC. 8.3.1. Subsection 104.1 amended—Powers and duties of the building official.

Subsection 104.1 of the California Building Code is amended to read:

"(a) The building official shall be referenced for the purposes of Section 104—
POWERS AND DUTIES OF THE BUILDING OFFICIAL.

(b) The building official is hereby authorized and empowered to enforce all the provisions of this Code. For such purposes, he/she shall have the powers of a law enforcement officer.

(c) The building official shall enforce a fee schedule set forth by city council resolution, as amended from time to time."

Section 5. Section 8.5 of Article I of Chapter 8 of the Mountain View City Code is hereby amended to read as follows:

"SEC. 8.5. Section 112 amended—Procedure for appeals.

Section 112 of the California Building Code is amended to read:

"Section 112. Procedure for appeals.

Any applicant for a building permit who is in disagreement with the building official's interpretation of any provision of this Code, or any applicant for a building permit who has been refused issuance of such permit, may appeal the building official's interpretation or refusal to issue said permit to the city council of the city. All such appeals shall be filed within ten (10) working days after the date the building official renders an interpretation of any provision of this Code or refuses to issue said permit. All appeals shall be in writing, shall be filed with the city clerk, shall state the ground or grounds of appeal and shall be accompanied by a nonrefundable fee of Two Hundred Fifty Dollars (\$250). Within sixty (60) calendar days after an appeal is filed, the appeal shall be heard by the city council. The city clerk shall give at least five (5) days prior written notice to the applicant of the date, time and place for the hearing on said appeal. The city council shall not be required to give public notice of said hearing. The applicant shall be entitled to present any oral and/or written evidence at said hearing. Any hearing held pursuant to this Section may be continued from time to time by the city council. Within twenty-one (21) days after the hearing is closed, the council shall announce its decision. All decisions of the city council on any appeal shall be final. Any action to attack, annul or contest the validity of any decision of the city council on any such appeal shall be filed no later than sixty (60) calendar days after the date the city council has adopted a resolution formalizing its decision on the appeal."

Finding: This revised section provides a procedure for appeals from certain decisions of the building official without the need by the city to incur the costs of a specially created board of appeals as such board of appeals is created in Section 112."

Section 6. Section 8.6 of Article I of Chapter 8 of the Mountain View City Code is hereby amended to read as follows:

"SEC. 8.6. Section 113.1, unlawful acts amended—Violations.

Section 113.1 of the California Building Code is amended to read:

"Section 113.1. Violations.

It shall be unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or

maintain any building or structure in the city, or cause or permit the same to be done, contrary to or in violation of any of the provisions of this Code.

Any person, firm, or corporation violating any of the provisions of this Code shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Code is committed, continued, or permitted, and upon conviction of any such violation such person shall be punishable as set forth in the city charter."

Section 7. Section 8.7 of Article I of Chapter 8 of the Mountain View City Code is hereby amended to read as follows:

"SEC. 8.7. Section 105.5—Expiration.

Section 105.5 of the California Building Code is amended to read:

"Section 105.5. Expiration.

Every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 180 days from the date of such permit or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days from the last inspection. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefor shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that such suspension or abandonment has not exceeded one year from the issuance date of such permit or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one year from the last inspection. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.

Any permittee holding an unexpired permit may apply for an extension of the time within which work may commence under that permit when the permittee is unable to commence work within the time required by this Section for good and satisfactory reasons. The building official may extend at no charge the time for action by the permittee for a period not exceeding 180 days on written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken."

Section 8. Section 8.8 of Article I of Chapter 8 of the Mountain View City Code is hereby amended to read as follows:

"SEC. 8.8. Section 111—Connection of utility service.

Section 111 of the California Building Code is amended to read:

"Section 111. Connection of utility services.

(a) It shall be unlawful for any person, firm or corporation to make a connection from a source of electrical energy or fuel gas to any electric wiring system, gas piping system, device, appliance or equipment for the installation of which a permit is required, unless such wiring system, gas piping system, devices, appliance or equipment has first been inspected and found to comply with all applicable codes and ordinances of the city.

(b) The building official is authorized to disconnect, or order disconnection of electrical or gas service to any system, device, appliance or equipment found to be in violation of this Code or under any of the following conditions:

1. Failure of the owner or his agent to secure or to fully comply with the conditions of the required permits.
2. Work found to be hazardous to life and property due to improper installation or maintenance or lack thereof of devices, appliances or equipment.
3. Work performed with or without a permit which has been connected to a source of supply without approval of the building official.
4. Electrical or gas services to buildings vacant for a period exceeding sixty (60) days."

Finding: The 2007 edition of the California Building Code contains no requirements regarding unlawful connections of utility services and this Section fills that void."

Section 9. Section 8.9 of Article I of Chapter 8 of the Mountain View City Code is hereby amended to read as follows:

"SEC. 8.9. Section 1011 added—Adherence to rules and standards for owner participation in downtown revitalization area.

Section 1011 is added to the California Building Code to read:

"Section 1011. Adherence to rules and standards for owner participation in downtown revitalization area.

As to applications for building permits authorizing the erection, construction, enlargement, alteration, repair, moving, removal, conversion or use of a building or structure located within the "project area" of the duly adopted and amended Revitalization Plan for the downtown Mountain View area, where the value of improvements authorized by such permit exceeds those amounts set forth in paragraph C.1 of the Rules and Standards for Owner Participation adopted by the city council of the city (acting as the Mountain View Revitalization Authority) on September 19, 1977, by Resolution No. 11743, Series 1977, the building official shall not be required to issue any such permit until it has been determined that the owner of the property for which the permit is being obtained has complied or is found to be in compliance with said Rules for Owner Participation and with all applicable provisions of the duly adopted Revitalization Plan."

Finding: This Section is needed to conform to the Owner Participation Rules and Standards of the Mountain View Revitalization Authority."

Section 10. Section 8.10 of Article I of Chapter 8 of the Mountain View City Code is hereby amended to read as follows:

"SEC. 8.10. Section 1012 added—Required approval of community development director.

Section 1012 is added to the California Building Code to read:

"Section 1012. Required approval of community development director.

As to any application for a building permit regarding any proposed or existing building or structure situated, or to be situated, on any lot which lot is subject to a previously granted variance, site plan and architectural approval, conditional use permit, planned community permit, or any other type of entitlement set forth in Chapter 36 of the Mountain View City Code, the building official shall not be required to issue any such building permit unless the community development director, or the director's authorized representative, has informed the building official that the

conditions of approval of such variance, site plan and architectural approval, conditional use permit, planned community permit, or other land use entitlement have been fulfilled, or that sufficient guarantees have or will be posted with the director to ensure that all such conditions of approval will be fulfilled."

Finding: This requirement is necessary to ensure that the city's zoning ordinance has been complied with prior to issuance of any building permit."

Section 11. Section 8.11 of Article I of Chapter 8 of the Mountain View City Code is hereby amended to read as follows:

"SEC. 8.11. Section 903.3.1 amended—Standards.

Section 903.3.1 of the Uniform Building Code is amended to read as follows:

"Section 903.3.1. Standards.

Fire-extinguishing systems shall comply with the following, including the appendix sections of each standard: NFPA 11-2005, Foam Extinguishing Systems; NFPA 12-2005, Carbon Dioxide Fire Extinguishing Systems; NFPA 12A-2004, Halon 1301 Systems; NFPA 2001-2005, Clean Agent Fire Extinguishing Systems; NFPA 13, 2002, Installation of Sprinkler Systems as amended; NFPA 13D-2002, Sprinklers Systems One- and Two-Family Dwellings as amended; NFPA 13R-2002, Sprinkler Systems, Residential Occupancies to Four Stories in Height as amended; NFPA 14-2005, Standpipe and Hose Systems as amended; NFPA 15-2001, Water Spray Fixed-Systems; NFPA 16-2005, Foam-Water Sprinkler and Foam-Water Spray Systems; NFPA 17-2002, Dry Chemical Extinguishing Systems; NFPA 17A-2002, Wet Chemical Extinguishing Systems; NFPA 20-2003, Centrifugal Fire Pumps; NFPA 22-2003, Water Tanks for Private Fire Protection; NFPA 24-2002, Private Fire Service Mains; NFPA 72-2002, National Fire Alarm Code."

Section 12. Section 8.12 of Article I of Chapter 8 of the Mountain View City Code is hereby amended to read as follows:

"SEC. 8.12. Section 903.3.1.2 amended—NFPA 13R sprinkler systems.

Section 903.3.1.2 of Chapter 9 of the California Building Code is amended to read as follows:

"Section 903.3.1.2. NFPA 13R sprinkler systems.

Where allowed in buildings of Group R, up to and including four (4) stories in height, automatic sprinkler systems shall be installed throughout in accordance with NFPA 13R. When NFPA 13R-2002 sprinkler systems are provided, exceptions to, or

reductions in, code requirements based on the installation of an automatic fire-extinguishing system are not allowed."

Section 13. Section 8.13 of Article I of Chapter 8 of the Mountain View City Code is hereby amended to read as follows:

"SEC. 8.13. Section 905.4 deleted—Location of Class I standpipe hose connections.

Class I standpipe systems are not permitted in the City of Mountain View."

Section 14. Section 8.14 of Article I of Chapter 8 of the Mountain View City Code is hereby amended to read as follows:

"SEC. 8.14. Section 903.2.1 amended—Group A Occupancies.

Section 903.2.1 of Chapter 9 of the California Building Code is amended to read:

"Section 903.2.1.3—Drinking establishments.

An automatic sprinkler system shall be installed in buildings used by the occupants for the consumption of alcoholic beverages and accessory uses where the total of such rooms and assembly use exceeds 3,600 square feet."

Section 15. Section 8.15 of Article I of Chapter 8 of the Mountain View City Code is hereby amended to read as follows:

"SEC. 8.15. Section 905 deleted—Standpipes.

Section 905 is deleted and is referenced in the amended Table 1004-A of the Mountain View City Code."

Section 16. Section 8.16 of Article I of Chapter 8 of the Mountain View City Code is hereby amended to read as follows:

"SEC. 8.16. Section 3311.1 amended—Standpipes.

Section 3311.1 of Chapter 33 of the California Building Code is amended to read:

"Section 3311.1. Where required.

If the structure is required to be sprinklered, every building two stories or more in height shall be provided with not less than one standpipe for use during construction. Such standpipe shall be installed prior to the start of construction. Such standpipe shall

be provided with Fire Department hose connections at accessible locations adjacent to usable stairs, and the standpipe outlets shall be located adjacent to such usable stairs. Such standpipe systems shall be extended as construction progresses within one floor of the highest point of construction having secured decking or flooring."

Section 17. Section 8.17 of Article I of Chapter 8 of the Mountain View City Code is hereby deleted in its entirety.

Section 18. Section 8.18 of Article I of Chapter 8 of the Mountain View City Code is hereby deleted in its entirety.

Section 19. Section 8.19A of Article I of Chapter 8 of the Mountain View City Code is hereby amended to read as follows:

"SEC. 8.19A. Section 2308.9.3 amended—Conventional Construction Provisions—Bracing.

Section 2308.9.3 of the Uniform Building Code is amended to read as follows:

"Section 2308.9.3. Bracing.

Braced wall lines shall consist of braced wall panels which meet the requirements for location, type and amount of bracing specified in Table 23-IV-C-1 and are in line or offset from each other by not more than 4 feet (1,219 mm). Braced wall panels shall start at not more than 8 feet (2,438 mm) from each end of a braced wall line. All braced wall panels shall be clearly indicated on the plans. Construction of braced wall panels shall be by one of the following methods:

1. Nominal 1-inch by 4-inch (25 mm by 102 mm) continuous diagonal braces let into top and bottom plates and intervening studs, placed at an angle not more than 60 degrees or less than 45 degrees from the horizontal, and attached to the framing in conformance with Table 23-II-B-1.
2. Wood boards of 5/8 -inch (16 mm) net minimum thickness applied diagonally on studs spaced not over 24 inches (610 mm) on center.
3. Wood structural panel sheathing with a thickness not less than 5/16 inch (7.9 mm) for 16-inch (406 mm) stud spacing and not less than 3/8 inch (9.5 mm) for 24-inch (610 mm) stud spacing in accordance with Tables 23-II-A-1 and 23-IV-D-1.
4. Fiberboard sheathing 4-foot by 8-foot (1,219 mm by 2,438 mm) panels not less than 1/2 inch (13 mm) thick applied vertically on studs spaced not over 16 inches (406 mm) on center when installed in accordance with Section 2315.6 and Table 23-II-J.

5. Particleboard wall sheathing panels when installed in accordance with Table 23-IV-D-2.

6. Portland cement plaster on studs 16 inches (406 mm) on center installed in accordance with Table 25-I. These standards can only be used in one-story structures of R3 and U1 occupancies.

7. Hardboard panel siding when installed in accordance with Section 2310.6 and Table 23-II-C.

Method 1 is not permitted in Seismic Zones 2B, 3 and 4. For cripple wall bracing, see Section 2320.11.5. For Methods 2, 3, 4, 6, 7 and 8, each braced panel must be at least 48 inches (1,219 mm) in length, covering three stud spaces where studs are spaced 16 inches (406 mm) apart and covering two stud spaces where studs are spaced 24 inches (610 mm) apart.

For Method 5, each braced wall panel must be at least 96 inches (2,438 mm) in length when applied to one face of a braced wall panel and 48 inches (1,219 mm) when applied to both faces.

All vertical joints of panel sheathing shall occur over studs. Horizontal joints shall occur over blocking equal in size to the studding except where waived by installation requirements for the specific sheathing materials.

Braced wall panel sole plates shall be nailed to the floor framing and top plates shall be connected to the framing above in accordance with Table 23-II-B-1. Sills shall be bolted to the foundation or slab in accordance with Section 1806.6. Where joists are perpendicular to braced wall lines above, blocking shall be provided under and in line with the braced wall panels."

Finding: Mountain View is located in Seismic Zone 4. Gypsum wallboard and exterior Portland cement plaster have performed poorly during recent California seismic events. The shear values for gypsum wallboard and Portland cement stucco contained in the code are based on monodirectional testing. It is appropriate to limit the use of these products until cycle loading testing are performed and evaluated."

Section 20. Section 8.20 of Article I of Chapter 8 of the Mountain View City Code is hereby deleted in its entirety and a new Section 8.20 is added, to read as follows:

"SEC. 8.20. Section 2306, Allowable Stress Design—Amended.

Section 2306 of the California Building Code, entitled Allowable Stress Design, is amended to delete Subsection 2306.4.5, entitled Shear Walls Sheathed and Other Materials."

Section 21. Section 8.21 of Article I of Chapter 8 of the Mountain View City Code is hereby deleted in its entirety and a new Section 8.21 is added, to read as follows:

"SEC. 8.21. Section 2505, Shear Wall Construction—Amended.

Section 2505 of the California Building Code, entitled Shear Wall Construction, is amended to delete Subsection 2505.1, entitled Resistance to Shear (Wood Framing)."

Section 22. Section 8.22 of Article I of Chapter 8 of the Mountain View City Code is hereby deleted in its entirety and a new Section 8.22 is added, to read as follows:

SEC. 8.22. Modifications to Section 1614A of the California Building Code; ASCE 7.

2001 California Building Code Section 1614 is amended to read as follows:

ASCE 7, Section 12.8.1.1. Modify ASCE 7, Section 12.8.1.1 by amending Equation 12.8-5 as follows:

$$C_s = 0.044 S_{ps} I \geq 0.01 \quad (\text{Equation 12.8-5})$$

Sections 1614, 1614.1 and 1614.1.7 are added to Chapter 16 of the 2007 California Building Code to read as follows:

ASCE 7, Section 12.12.3. Replace ASCE 7, Section 12.12.3 as follows:

12.12.3 Minimum Building Separation. All structures shall be separated from adjoining structures. Separations shall allow for the maximum inelastic response displacement (Δ_M). Δ_M shall be determined at critical locations with consideration for both translational and torsional displacements of the structure as follows:

$$\Delta_M = C_d \delta_{max} \quad (\text{Equation 16-45})$$

where δ_{max} is the calculated maximum displacement at Level x as defined in ASCE 7, Section 12.8.4.3.

Adjacent buildings on the same property shall be separated by at least a distance Δ_{MT} where

$$\Delta_{MT} = \sqrt{(\Delta_{M1})^2 + (\Delta_{M2})^2} \quad (\text{Equation 16-46})$$

and Δ_{M1} and Δ_{M2} are the maximum inelastic response displacements of the adjacent buildings.

Where a structure adjoins a property line not common to a public way, the structure shall also be set back from the property line by at least the displacement, $\Delta_{M'}$ of that structure.

Exception: Smaller separations or property line setbacks shall be permitted when justified by rational analysis.

Modifications to ACI 318.

2007 California Building Code Section 1908 is amended to read as follows and **Section 1908.1.17 is added to Chapter 19 of the 2007 California Building Code to read as follows:**

1908.1 General. The text of ACI 318 shall be modified as indicated in Sections 1908.1.1 through 1908.1.17.

1908.1.17 ACI 318, Section 14.8. Modify ACI 318, Sections 14.8.3 and 14.8.4, replacing Equation (14-7), (14-8) and (14-9).

1. Modify Equation (14-7) of ACI 318, Section 14.8.3 as follows:

I_{cr} shall be calculated by Equation (14-7), and M_a shall be obtained by iteration of deflections.

$$I_{cr} = \frac{E_s}{E_c} \left(A_s + \frac{P_u}{f_y} \frac{h}{2d} \right) \left(d - c \right)^2 + \frac{l_w c^3}{3} \quad (14-7)$$

and the value E_s/E_c shall not be taken less than 6.

2. Modify ACI 318, Section 14.8.4 as follows:

14.8.4—Maximum out-of-plane deflection, Δ_s , due to service loads, including $P\Delta$ effects, shall not exceed $1_c/150$.

If M_s , maximum moment at mid-height of wall due to service lateral and eccentric loads, including $P\Delta$ effects, exceed $(2/3) M_{cr}$, Δ_s shall be calculated by Equation (14-8):

$$\Delta_s = \frac{2}{3} \Delta_{cr} + \frac{M_a - \frac{2}{3} M_{cr}}{M_n - \frac{2}{3} M_{cr}} \left(\Delta_n - \frac{2}{3} \Delta_{cr} \right) \quad (14-8)$$

If M_a does not exceed $(2/3) M_{cr}$, Δ_s shall be calculated by Equation (14-9):

$$\Delta_s = \left(\frac{M_a}{M_{cr}} \right) \Delta_{cr} \quad (14-9)$$

where:

$$\Delta_{cr} = \frac{5 M_{cr} l_c^2}{48 E_c I_g}$$

$$\Delta_n = \frac{5 M_n l_c^2}{48 E_c I_{cr}}$$

General Design Requirements for Lateral-Force-Resisting Systems.

International Building Code Section 2305 is hereby amended to read:

Table 2305.3.4.—Maximum Shear Wall Dimension Ratios

Type	Maximum Height-Width Ratio
Wood structural panels or particleboard, nailed edges	For other than seismic: 3-1/2:1 For seismic: 2:1 ^a
Diagonal sheathing, single	2:1
Fiberboard	1-1/2:1

a. For design to resist seismic forces, shear wall height-width ratios greater than 2:1, but not exceeding 3-1/2:1, are permitted provided the allowable shear values in Table 2306.4.1 are multiplied by $2w/h$.

2305.3.9 Summing shear capacities. The shear values for shear panels of different capacities applied to the same side of the wall are not cumulative except as allowed in Table 2306.4.1.

The shear values for material of the same type and capacity applied to both faces for the same wall are cumulative. Where the material capacities are not equal, the allowable shear shall be either two times the small shear capacity or the capacity of the stronger side, whichever is greater.

Summing shear capacities of dissimilar materials applied to opposite faces or to the same wall line is not allowed."

Section 23. Section 8.24 of Article I of Chapter 8 of the Mountain View City Code is hereby deleted in its entirety and a new Section 8.24 is added, to read as follows:

"SEC. 8.24. Section 704.5, Fire-resistance ratings—Amended.

"Section 704.5—Fire-resistance ratings.

For other than high-rise buildings, Group A, E, H, I, L and R occupancies and other applications listed in Section 111 regulated by the Office of the State Fire Marshal, exterior walls shall be fire-resistance rated in accordance with Tables 601 and 602. The fire-resistance rating of exterior walls with a fire separation distance of greater than 5 feet (1,524 mm) shall be rated for exposure to fire from both sides. The fire-resistance rating of exterior walls with a fire separation distance of 5 feet (1,524 mm) or less shall be rated for exposure to fire from both sides."

Section 24. Section 8.25 of Article I of Chapter 8 of the Mountain View City Code is hereby deleted in its entirety and a new Section 8.25 is added, to read as follows:

"SEC. 8.25. Section 704.12, Opening protection—Amended.

The exception in Section 704.12 to allow exterior openings in a building with automatic sprinklers to be protected by an approved water curtain is deleted."

Section 25. Section 8.26 of Article I of Chapter 8 of the Mountain View City Code is hereby deleted in its entirety and a new Section 8.26 is added, to read as follows:

"SEC. 8.26. Section 705.1.1, Party walls—Amended.

Any wall located on a lot line between adjacent buildings which is used or adopted for joint service between the two buildings shall be constructed as a fire wall in accordance with Section 705. Party walls shall create separate buildings. In occupancy

group R-3, the construction separation at the lot line shall be with two separate one-hour-rated fire walls complying with Section 705."

Section 26. Section 8.27 of Article I of Chapter 8 of the Mountain View City Code is hereby deleted in its entirety and a new Section 8.27 is added, to read as follows:

"SEC. 8.27. Section [F]907.2.10—Single- and multiple-station smoke alarms—Amended.

Listed single- and multiple-station smoke alarms complying with UL 217 shall be installed in accordance with the provisions of this code and the household fire-warning equipment provisions of NFPA 7. When the valuation of an addition, alteration or repair to a Group R Occupancy exceeds One Thousand Dollars (\$1,000) and a building permit is required or when one (1) or more sleeping rooms are added or created in existing Group R Occupancies, smoke detectors shall be installed in accordance with Sections 907.2.10.1.1 through 907.2.10.1.3; Section 907.2.10.2; and Section 907.2.10.3. Smoke detectors may be solely battery-operated when installed in existing buildings; or in buildings without commercial power; or in buildings which undergo alterations, repairs or additions that the building permit exceeds One Thousand Dollars (\$1,000).

Exception: Repairs to the exterior surfaces of a Group R Occupancy are exempt for the requirements of this section."

Section 27. Section 8.28 of Article I of Chapter 8 of the Mountain View City Code is hereby deleted in its entirety and a new Section 8.28 is added, to read as follows:

"SEC. 8.28. Section 1704.4, Concrete construction—Amended.

Section 1704.4—Concrete construction—is amended to delete Exceptions 1, 2, 2.1, 2.2 and 2.3."

Section 28. Section 8.29 of Article I of Chapter 8 of the Mountain View City Code is hereby deleted in its entirety.

Section 29. Section 8.30 of Article II of Chapter 8 of the Mountain View City Code is hereby amended, to read as follows:

"SEC. 8.30. Uniform Plumbing Code adopted—Short title.

The Uniform Plumbing Code, 2006 edition, third printing, including Appendices A, B, D and I, promulgated by the International Association of Plumbing and Mechanical Officials Association, 5001 East Philadelphia Street, Ontario, California, 91761-2816, which regulates the installation, alteration, repair, removal, conversion, use and maintenance of plumbing, gas, drainage systems and other similar work and

provides for the issuance of permits for doing such work; is adopted and by this reference made a part of this municipal code with the same force and effect as though set out herein in full. One copy of the Uniform Plumbing Code is on file for public inspection in the building inspection office."

Section 30. Section 8.33 of Article II of Chapter 8 of the Mountain View City Code is hereby deleted in its entirety and a new Section 8.33 is added, to read as follows:

"SEC. 8.33. Section 103.10, Procedure for appeals—Amended.

The provisions of Section 112 of the 2007 California Building Code are hereby incorporated by reference as if fully set forth herein. Whenever the building permit is used in the said Section 112, such term shall mean "plumbing permit."

Finding: This section provides a procedure for appeals from certain decisions of the administrative authority without the need by the city to incur the costs of a specially created board of appeals."

Section 31. Section 8.34 of Article II of Chapter 8 of the Mountain View City Code is hereby deleted in its entirety and a new Section 8.34 is added, to read as follows:

"SEC. 8.34. Chapter 15—Fire stop protection for DWV and storm water applications.

Chapter 15 of the Uniform Plumbing Code is deleted in its entirety. All references and standards of Chapter 15 shall be replaced by Chapter 7 of the 2007 California Building Code."

Section 32. Section 8.40 of Article II of Chapter 8 of the Mountain View City Code is hereby deleted in its entirety.

Section 33. Section 8.50 of Article III of Chapter 8 of the Mountain View City Code is hereby deleted in its entirety and a new Section 8.50 is added, to read as follows:

"SEC. 8.50. Uniform Mechanical Code adopted—Short title.

The Uniform Mechanical Code, 2006 edition, third printing, promulgated by the International Association of Plumbing and Mechanical Officials, 5001 East Philadelphia Street, Ontario, California, 91761-2816, including all appendices, which regulates and provides complete requirements for the installation and maintenance of heating, ventilating, comfort cooling and refrigeration systems, is adopted and by reference made a part of this municipal code with the same force and effect as though set out herein in full. One copy of the Uniform Mechanical Code is on file and open to public inspection in the building inspection office."

Section 34. Section 8.51 of Article III of Chapter 8 of the Mountain View City Code is hereby amended to read as follows:

"SEC. 8.51. Procedure for appeals.

The provisions of Section 112 of the 2007 California Building Code are hereby incorporated by reference as if fully set forth herein. Whenever the term "building permit" is used in the said Section 112, such term shall mean "mechanical permit."

Section 35. Section 8.100 of Article IV of Chapter 8 of the Mountain View City Code is hereby added, to read as follows:

"SEC. 8.100. Uniform Housing Code adopted—Short title.

The Uniform Housing Code, 1997 edition, first printing, promulgated by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California, 90601, which provides minimum requirements for the protection of life, limb, health, property, safety and welfare of the general public and the owners and occupants of residential buildings, is adopted and by reference made a part of this Code with the same force and effect as though set out in full in this chapter. One copy of the Uniform Housing Code is on file and open to public inspection in the building inspection office."

Section 36. Section 8.101 of Article VI of Chapter 8 of the Mountain View City Code is hereby added, to read as follows:

"SEC. 8.101. Definitions.

The following terms which appear in this code are hereby amended, clarified and/or deleted as follows:

- a. The terms "housing advisory and appeals board," "board of appeals," and "board" in each and every place where said terms are used in this code are amended to read "city council";
- b. The terms "hearing examiner" and "examiner" in each and every place wherein said terms are used in this code are hereby deleted;
- c. The term "repair and demolition fund" in each and every place wherein said term is used in this code is amended to read "general fund of the City of Mountain View"; and

d. Efficiency dwelling unit shall be defined as set forth in Section 310.7, as amended in Sec. 8.15 of the Mountain View City Code."

Section 37. Section 8.102 of Article VI of Chapter 8 of the Mountain View City Code is hereby added, to read as follows:

"SEC. 8.102. Sections deleted.

The following sections of the Uniform Housing Code are hereby deleted:
Sec. 203.1; Sec. 1301.1; Sec. 1303.2; Sec. 1350.2 through 1305.8, inclusive; and Sec. 1502.1 and 1502.2."

Section 38. Section 8.103 of Article VI of Chapter 8 of the Mountain View City Code is hereby added, to read as follows:

"SEC. 8.103. Section 301 amended—GENERAL.

No building or structure regulated by this code shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a separate permit for each building or structure has first been obtained from the building official in the manner and according to the applicable conditions prescribed in Section 108.4 of the California Building Code."

Section 39. Section 8.104 of Article VI of Chapter 8 of the Mountain View City Code is hereby added, to read as follows:

"SEC. 8.104. Section 302 amended—FEES.

When a building permit is required by Section 301 of this code, the appropriate fees shall be paid as specified in Section 108.5 of the California Building Code."

Section 40. Section 8.105 of Article VI of Chapter 8 of the Mountain View City Code is hereby added, to read as follows:

"SEC. 8.105. Section 401 amended—DEFINITIONS.

BUILDING CODE is the California Building Code promulgated by the International Code Council, as adopted by the City of Mountain View.

MECHANICAL CODE is the California Mechanical Code promulgated by the International Association of Plumbing and Mechanical Officials."

Section 41. Section 8.106 of Article VI of Chapter 8 of the Mountain View City Code is hereby added, to read as follows:

"SEC. 8.106. Section 501 amended—LOCATION ON PROPERTY.

All buildings shall be located with respect to property lines and to other buildings on the same property as required by Chapter 5 and Chapter 6 of the California Building Code."

Section 42. Section 8.107 of Article VI of Chapter 8 of the Mountain View City Code is hereby added, to read as follows:

"SEC. 8.107. Section 504.4 amended—Hallways.

All public hallways, stairs and other exitways shall be adequately lighted at all times in accordance with Section 1006 of the California Building Code."

Section 43. Section 8.108 of Article VI of Chapter 8 of the Mountain View City Code is hereby added, to read as follows:

"SEC. 8.108. Section 505.5 amended—Water Closet Compartments.

Section 505 of the Uniform Housing Code is amended to read as follows:

Walls and floors of water closet compartments, except in dwellings, shall be finished in accordance with Section 1210 of the California Building Code."

Section 44. Section 8.109 of Article VI of Chapter 8 of the Mountain View City Code is hereby added, to read as follows:

"SEC. 8.109. Section 701.1 amended—Heating.

Section 701.1 of the Uniform Housing Code is amended to read as follows:

Dwelling units, guest rooms and congregate residences shall be provided with heating facilities capable of maintaining room temperature of 70 degrees (F) (21.1 degrees (C)) at a point 3 feet (914 mm) above the floor in all habitable rooms. Such facilities shall be installed and maintained in a safe condition and in accordance with Section 1204 of the Building Code, the Mechanical Code and all other applicable laws. Unvented fuel-burning heaters are not permitted. All heating devices or appliances shall be of an approved listed type."

Section 45. Section 8.110 of Article VI of Chapter 8 of the Mountain View City Code is hereby deleted in its entirety and a new Section 8.110 is added, to read as follows:

"SEC. 8.110. Section 1001.1 amended—General.

Section 1001.1 of the Uniform Housing Code is amended to read as follows:

Any building or portion thereof that is determined to be an unsafe building in accordance with Section 115 of the California Building Code or the 1997 Uniform Code for the Abatement of Dangerous Buildings, or any building or portion thereof, including any dwelling unit, guest room or suite of rooms, or the premises on which the same is located, in which there exists any of the conditions referenced in the section to an extent that endangers the life, limb, health, property, safety or welfare of the public or the occupants thereof, shall be deemed and hereby are declared to be substandard buildings."

Section 46. Section 8.111 of Article VI of Chapter 8 of the Mountain View City Code is hereby deleted in its entirety.

Section 47. Section 8.130 of Article VIII of Chapter 8 of the Mountain View City Code is hereby amended, to read as follows:

"SEC. 8.130. Definitions—Amended.

For the purpose of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Administrative authority. "Administrative authority" is the building official.

Building. "Building" is a structure designed, built or occupied as a shelter or roofed enclosure for persons, animals, or property and used for residential, business, mercantile, storage, commercial, industrial, institutional, assembly, educational or recreational purposes. A structure containing one hundred (100) square feet or less of floor space shall not fall within this definition.

Community development director. "Community development director" is the community development director for the city, or their designee.

Public works director. "Public works director" is the public works director for the city, or their designee.

Zoning administrator. "Zoning administrator" is the zoning administrator for the city, or their designee."

Section 48. The provisions of this ordinance shall be effective thirty (30) days from and after the date of its adoption.

Section 49. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the other remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Section 50. Pursuant to Section 522 of the Mountain View City Charter, it is ordered that copies of the foregoing proposed ordinance be posted at least two (2) days prior to its adoption in three (3) prominent places in the City and that a single publication be made to the official newspaper of the City of a notice setting forth the title of the ordinance, the date of its introduction, and a list of the places where copies of the proposed ordinance are posted.

The foregoing ordinance was regularly introduced at the Regular Meeting of the City Council of the City of Mountain View, duly held on the 6th day of November, 2007, and will be given a second reading and presented for adoption at the Special Meeting of said City Council, to be held on the 27th day of November, 2007.

(SEAL)

PUBLISHED: _____

ANGELITA M. SALVADOR, CITY CLERK
CITY OF MOUNTAIN VIEW

JLQ/2/ORD
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